

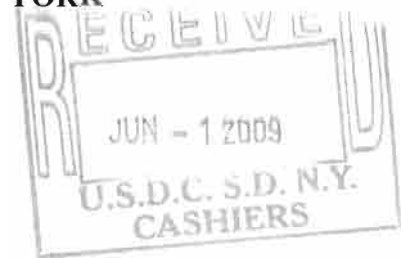
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JUDGE McKENNA

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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

09 CV 5105



DEBORAH DONOGHUE,)
)
 Plaintiff,)
)
 - against -)
)
 PERSHING SQUARE CAPITAL)
 MANAGEMENT, L.P.,)
 PERSHING SQUARE GP, LLC,)
 PERSHING SQUARE HOLDINGS)
 GP, LLC,)
 PS MANAGEMENT GP, LLC,)
 PERSHING SQUARE HOLDINGS,)
 PERSHING SQUARE INTER-)
 NATIONAL, LTD.,)
 PERSHING SQUARE, L.P.,)
 PERSHING SQUARE II, L.P.)
 PERSHING SQUARE IVC, L.P.,)
 PERSHING SQUARE IV A, L.P.,)
 PERSHING SQUARE TRADE-CO, LP,)
 PERSHING SQUARE IV-I TRADE)
 CO., LTD.,)
 PERSHING SQUARE INTER-)
 NATIONAL IV TRADE-CO, LTD.,)
 And WILLIAM A. ACKMAN,)
)
 Defendants,)

COMPLAINT FOR RECOVERY OF
 SHORT-SWING PROFITS
 UNDER 15 USC 78p(b)

Jury Trial Demanded

TARGET CORPORATION,)
)
 Nominal Defendant.)

x

DEBORAH DONOGHUE, by **David Lopez, Esq.**, her attorney, complaining of the defendants, respectfully alleges the following upon information and belief, except as to paragraph 2, which plaintiff alleges on personal knowledge:

JURISDICTION:

1. This action arises under the provisions of Section 16(b) of the Securities Exchange Act of 1934, as amended (the "Act"), 15 U.S.C. Section 78p(b), and jurisdiction is conferred upon this court by Section 27 of the Act, 15 U.S.C. Section 78aa.

THE PARTIES:

2. Plaintiff is a security owner of **TARGET CORPORATION** ("TARGET"), a Minnesota Corporation with principal offices at 1000 Nicollet Mall, Minneapolis, Minnesota 55403.

3. At all times relevant the common stock of **TARGET** was registered under Section 12 of the Act and was and is traded on the floor of the New York Stock Exchange located within this district.

4. This action is brought in the right and for the benefit of **TARGET** which is named as a nominal party defendant solely in order to have all necessary parties before the court.

5. At certain times and from time to time beginning on July 5, 2007, each of the defendants, other than **TARGET** (the "DEFENDANTS" in the aggregate

or a "DEFENDANT" singly), was an insider of TARGET, to wit: a member of a "group" (the "GROUP") under Section 13(d) of the Act and the rules and regulations promulgated thereunder whose aggregate holdings constituted beneficial ownership of more than 10% of the common stock of TARGET, a class of equity security.

6. Such more-than-10% beneficial ownership is based on ownership of shares of common stock and includes common stock underlying over-the-counter American-style call options and cash-settled equity swaps.

7. Each DEFENDANT was under the common control, directly or indirectly, of WILLIAM A. ACKMAN and of PERSHING SQUARE CAPITAL MANAGEMENT, L.P., who had the shared delegated power to implement decisions for the purchase, holding, voting and sale of shares of TARGET owned by any DEFENDANT.

8. PS MANAGEMENT was the general partner of PERSHING SQUARE CAPITAL MANAGEMENT, L.P. and shared the power to acquire, vote, hold and dispose of shares of TARGET held by GROUP members.

9. PERSHING SQUARE GP was the general partner of PERSHING SQUARE, L.P. and PERSHING SQUARE II, L.P. and shared the power to acquire, hold, vote and dispose of shares of TARGET held by each such DEFENDANT.

10. PERSHING SQUARE HOLDINGS GP was the general partner of PERSHING SQUARE, L.P. and PERSHING SQUARE IV A and shared power to acquire, hold vote and dispose of shares of TARGET held by that DEFENDANT.

11. The GROUP acted in concert with a control purpose *vis a vis* TARGET, engaging in a failed proxy contest with the management of TARGET to elect five directors to TARGET'S Board of Directors over management's opposition.

12. All members of the GROUP admitted to membership in the GROUP with respect to their holdings of TARGET in a Schedule 13D dated July 16, 2007, and in seven subsequent amendments thereto.

13. Each member of the GROUP maintains a principal place of business or is found at 888 Seventh Avenue, New York, New York 10019, the offices of PERSHING SQUARE CAPITAL MANAGEMENT, L.P. and of WILLIAM A. ACKMAN.

14. By reason of their membership in the GROUP at times when it was a beneficial owner of more-than-10% of the common stock of TARGET, each DEFENDANT is individually deemed as a matter of law to have been a more-than-10% beneficial owner of TARGET at such times and to be liable to the extent of its pecuniary interest in any short-swing trading by members of the GROUP.

STATUTORY REQUISITES:

15. The violations of Section 16(b) of the Act to be described herein involve non-exempt securities in non-exempt transactions engaged in by non-exempt persons within the meaning of the Act.

16. Demand for prosecution was made on TARGET on March 17, 2009. More than 60 days have passed from the date of demand without TARGET

beneficial owner of TARGET may be matched against one another using the "lowest-in, highest out" method to produce profits recoverable from the defendants to the extent of their respective pecuniary interests in such profits. The amounts of such profits are unknown to Plaintiff and will require discovery to determine the completeness of the aforesaid enumeration followed by matching of transactions and an accounting.

22. Such profits are recoverable on behalf of TARGET by Plaintiff as a shareholder of TARGET, the latter having failed or refused to act in its own right and for its own benefit.

SECOND CLAIM FOR RELIEF:

23. This Second Claim For Relief is a precaution against possible errors of detail attributable to the failure of the DEFENDANTS to comply with the reporting requirements of 15 U.S.C. 78p(a), inaccuracies in the public record or the discovery of additional trades during the course of this action.

24. The DEFENDANTS, acting during periods not barred by the statute of limitations measured from the date of the filing of this complaint, purchased and sold or sold and purchased equity securities or equity security equivalents of TARGET within periods of less than six months of each other while more-than-10% beneficial owners of TARGET.

25. By reason of such purchases and sales or sales and purchases of its equity securities or equity security equivalents within periods of less than six months

of one another while insiders of TARGET, the DEFENDANTS realized profits, the exact amounts thereof being unknown to Plaintiff, which profits inure to the benefit, and are recoverable by Plaintiff on behalf, of TARGET.

WHEREFORE, Plaintiff demands judgment:

a) Requiring the DEFENDANTS and each of them to account for and to pay over to TARGET the short-swing profits realized and retained by each of them in violation of Section 16(b) of the Act, together with appropriate interest and the costs of this suit;

b) Awarding to Plaintiff her costs and disbursements including reasonable attorney's, accountants and expert witness fees; and

c) Granting to Plaintiff such other and further relief as the court may deem just and proper.

Dated: Southampton, New York
June 1, 2009

Yours, etc.

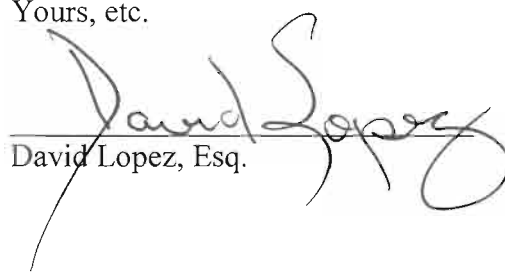

David Lopez, Esq.

EXHIBIT A

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Exhibit 99.3
 TRANSACTIONS EFFECTED DURING THE PAST SIXTY DAYS

(All transactions were regular market transactions)

Date of transaction	Person effecting transaction	Amount of securities Bought/ (Sold)	Price per share or unit
Common Stock			
April 17, 2007	Pershing Square II, L.P.	409	\$60.60
April 17, 2007	Pershing Square II, L.P.	2,788	\$60.62
April 18, 2007	Pershing Square II, L.P.	2,665	\$60.68
April 18, 2007	Pershing Square II, L.P.	415	\$60.76
April 19, 2007	Pershing Square II, L.P.	1,276	\$60.86
April 19, 2007	Pershing Square II, L.P.	1,808	\$61.21
April 19, 2007	Pershing Square II, L.P.	630	\$61.23
April 20, 2007	Pershing Square II, L.P.	126	\$61.98
April 27, 2007	Pershing Square II, L.P.	(10,117)*	\$60.77
April 30, 2007	Pershing Square II, L.P.	3,768	\$59.80
April 30, 2007	Pershing Square II, L.P.	3,761	\$59.91
April 30, 2007	Pershing Square II, L.P.	321	\$60.00
May 1, 2007	Pershing Square II, L.P.	536	\$58.74
May 1, 2007	Pershing Square II, L.P.	1,626	\$58.92
May 2, 2007	Pershing Square II, L.P.	(10,012)*	\$58.95
May 7, 2007	Pershing Square II, L.P.	1,255	\$59.32
May 8, 2007	Pershing Square II, L.P.	1,282	\$58.91
May 8, 2007	Pershing Square II, L.P.	3,530	\$59.03
May 8, 2007	Pershing Square II, L.P.	2,740	\$59.18
May 9, 2007	Pershing Square II, L.P.	2,115	\$59.08
May 11, 2007	Pershing Square II, L.P.	(10,922)*	\$58.25
May 22, 2007	Pershing Square II, L.P.	954	\$58.13
May 22, 2007	Pershing Square II, L.P.	2,544	\$58.20
May 22, 2007	Pershing Square II, L.P.	7,174	\$58.21
April 17, 2007	Pershing Square International, Ltd.	36,194	\$60.60
April 17, 2007	Pershing Square International, Ltd.	246,729	\$60.62
April 18, 2007	Pershing Square International, Ltd.	236,053	\$60.68
April 18, 2007	Pershing Square International, Ltd.	36,783	\$60.76
April 19, 2007	Pershing Square International, Ltd.	113,171	\$60.86
April 19, 2007	Pershing Square International, Ltd.	160,302	\$61.21
April 19, 2007	Pershing Square International, Ltd.	55,845	\$61.23
April 20, 2007	Pershing Square International, Ltd.	11,165	\$61.98
April 27, 2007	Pershing Square International, Ltd.	(896,242)*	\$60.77
April 30, 2007	Pershing Square International, Ltd.	332,437	\$59.80
April 30, 2007	Pershing Square International, Ltd.	331,817	\$59.91
April 30, 2007	Pershing Square International, Ltd.	28,325	\$60.00
May 1, 2007	Pershing Square International, Ltd.	13,947	\$58.74
May 1, 2007	Pershing Square International, Ltd.	142,113	\$58.92
May 2, 2007	Pershing Square International, Ltd.	(848,639)*	\$58.95
May 7, 2007	Pershing Square International, Ltd.	110,900	\$59.32
May 8, 2007	Pershing Square International, Ltd.	113,268	\$58.91
May 8, 2007	Pershing Square International, Ltd.	311,940	\$59.03
May 8, 2007	Pershing Square International, Ltd.	242,067	\$59.18
May 9, 2007	Pershing Square International, Ltd.	186,890	\$59.08
May 11, 2007	Pershing Square International, Ltd.	(965,065)*	\$58.25
May 22, 2007	Pershing Square International, Ltd.	84,954	\$58.13
May 22, 2007	Pershing Square International, Ltd.	226,545	\$58.20
May 22, 2007	Pershing Square International, Ltd.	638,891	\$58.21
July 9, 2007	Pershing Square IV A, L.P.	602,076	\$66.76
July 10, 2007	Pershing Square IV A, L.P.	267,924	\$65.98
April 17, 2007	Pershing Square, L.P.	28,243	\$60.60
April 17, 2007	Pershing Square, L.P.	192,533	\$60.62
April 18, 2007	Pershing Square, L.P.	184,133	\$60.68
April 18, 2007	Pershing Square, L.P.	28,692	\$60.76
April 19, 2007	Pershing Square, L.P.	88,205	\$60.86
April 19, 2007	Pershing Square, L.P.	12,939	\$61.21
April 19, 2007	Pershing Square, L.P.	43,325	\$61.23
April 20, 2007	Pershing Square, L.P.	8,709	\$61.98
April 27, 2007	Pershing Square, L.P.	(698,979)*	\$60.77
April 30, 2007	Pershing Square, L.P.	250,629	\$59.80
April 30, 2007	Pershing Square, L.P.	250,161	\$59.91
April 30, 2007	Pershing Square, L.P.	21,354	\$60.00
May 1, 2007	Pershing Square, L.P.	10,517	\$58.74
May 1, 2007	Pershing Square, L.P.	107,156	\$58.92
May 2, 2007	Pershing Square, L.P.	(639,817)*	\$58.95
May 7, 2007	Pershing Square, L.P.	83,668	\$59.32
May 8, 2007	Pershing Square, L.P.	85,450	\$58.91

May 8, 2007	Pershing Square, L.P.	235,330	\$59.03
May 8, 2007	Pershing Square, L.P.	182,616	\$59.18
May 9, 2007	Pershing Square, L.P.	140,995	\$59.08
May 11, 2007	Pershing Square, L.P.	(728,059) *	\$58.25
May 22, 2007	Pershing Square, L.P.	64,092	\$58.13
May 22, 2007	Pershing Square, L.P.	170,911	\$58.20
May 22, 2007	Pershing Square, L.P.	481,995	\$58.21

* Each disposition of a security marked with an asterisk above was made solely for the purpose of effectuating purchases by the applicable Reporting Person of over-the-counter American-style call options or cash-settled equity swaps.

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OPTIONS

Trade date	Security	Quantity	Strike Price	Expiration Date	Unit Price	Amount	Transaction Type
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Pershing Square II, L.P.

April 27, 2007	American-style Call Option	39,493	\$48.6012	October 17, 2008	\$16.99	\$670,972	BUY
May 11, 2007	American-style Call Option	37,052	\$46.5988	January 16, 2009	\$17.21	\$637,539	BUY
May 16, 2007	American-style Call Option	33,535	\$46.1146	January 16, 2009	\$17.05	\$571,688	BUY

Pershing Square International, Ltd.

April 27, 2007	American-style Call Option	3,484,289	\$48.6012	October 17, 2008	\$16.99	\$59,196,837	BUY
May 11, 2007	American-style Call Option	3,272,126	\$46.5988	January 16, 2009	\$17.21	\$56,302,163	BUY
May 16, 2007	American-style Call Option	2,958,275	\$46.1146	January 16, 2009	\$17.05	\$50,431,193	BUY

Pershing Square IV A, L.P.

June 8, 2007	American-style Call Option	5,000,000	\$50.6606	January 16, 2009	\$19.10	\$95,495,000	BUY
June 13, 2007	American-style Call Option	5,000,000	\$34.6290	December 14, 2007	\$29.31	\$146,550,000	BUY
June 20, 2007	American-style Call Option	13,700,000	\$51.0669	December 19, 2008	\$19.22	\$263,314,000	BUY
July 5, 2007	American-style Call Option	14,500,000	\$51.0847	October 2, 2008	\$18.23	\$264,301,650	BUY
July 5, 2007	American-style Call Option	14,500,000	\$51.0847	April 2, 2009	\$20.03	\$290,504,600	BUY
July 9, 2007	American-style Call Option	4,681,359	\$53.1178	October 6, 2008	\$18.95	\$88,711,753	BUY
July 9, 2007	American-style Call Option	4,681,359	\$53.1178	April 6, 2009	\$20.83	\$97,512,708	BUY

Pershing Square, L.P.

April 27, 2007	American-style Call Option	2,626,851	\$48.6012	October 17, 2008	\$16.99	\$44,629,268	BUY
May 11, 2007	American-style Call Option	2,468,227	\$46.5988	January 16, 2009	\$17.21	\$42,469,795	BUY
May 16, 2007	American-style Call Option	2,230,785	\$46.1146	January 16, 2009	\$17.05	\$38,029,307	BUY

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SWAPS

Trade date	Security	Quantity	Unit Price	Amount	Transaction Type
------------	----------	----------	------------	--------	------------------

Pershing Square II, L.P.

May 2, 2007	Cash-settled Equity Swaps	16,688	\$59.12	\$986,646	BUY
May 11, 2007	Cash-settled Equity Swaps	(16,688) *	\$58.25	\$972,076	SELL

Pershing Square International, Ltd.

May 2, 2007	Cash-settled Equity Swaps	1,458,261	\$59.12	\$86,216,911	BUY
May 11, 2007	Cash-settled Equity Swaps	(1,458,261) *	\$58.25	\$84,943,703	SELL

Pershing Square IV A, L.P.

June 5, 2007	Cash-settled Equity Swaps	5,000,000	\$63.35	\$316,767,000	BUY
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Pershing Square, L.P.

May 2, 2007	Cash-settled Equity Swaps	1,100,051	\$59.12	\$65,038,425	BUY
May 11, 2007	Cash-settled Equity Swaps	(1,100,051) *	\$58.25	\$64,077,971	SELL

* Each disposition of a security marked with an asterisk above was made solely for the purpose of effectuating purchases by the applicable Reporting Person of over-the-counter American-style call options or cash-settled equity swaps.

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EXHIBIT B

EX-99.1 2 file2.htm TRADING DATA

Exhibit 99.1**PERSHING SQUARE IV A, L.P.****Common Stock**

<u>Transaction Type</u>	<u>Security</u>	<u>Trade Date</u>	<u>Settle Date</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Trade Amount</u>
Buy	TARGET CORPORATION	11/20/2007	11/23/2007	556,776	\$ 51.28	\$ 28,549,190
Buy	TARGET CORPORATION	11/21/2007	11/26/2007	443,224	\$ 51.50	\$ 22,825,327
Sell	TARGET CORPORATION	11/21/2007	11/26/2007	2,870,000	\$ 53.57	\$ 153,743,547
Buy	TARGET CORPORATION	11/23/2007	11/28/2007	761,300	\$ 56.42	\$ 42,955,591
Buy	TARGET CORPORATION	11/23/2007	11/28/2007	122,900	\$ 56.77	\$ 6,976,640
Buy	TARGET CORPORATION	12/4/2007	12/7/2007	5,000,000	\$ 59.43	\$ 297,150,000

Options

<u>Transaction Type</u>	<u>Security</u>	<u>Trade Date</u>	<u>Settlement Date</u>	<u>Quantity</u>	<u>Strike Price</u>	<u>Expiration Date</u>	<u>Unit Cost</u>	<u>Trade Amount</u>
Buy	American-style Call Option	11/21/2007	11/27/2007	6,850,000*	\$ 45.00	11/20/2009	\$ 16.49	\$ 112,956,500
Buy	American-style Call Option	11/21/2007	11/27/2007	5,352,800*	\$ 45.00	11/20/2009	\$ 18.14	\$ 97,099,792
Sell	American-style Call Option	12/4/2007	12/5/2007	5,000,000	\$ 34.5890	12/14/2007	\$ 24.86	\$ 124,320,500
Buy	American-style Call Option	12/20/2007	12/21/2007	6,451,613*	\$ 41.616	1/15/2010	\$ 19.34	\$ 124,747,099

Swaps

<u>Transaction Type</u>	<u>Security</u>	<u>Trade Date</u>	<u>Settle Date</u>	<u>Quantity</u>	<u>Unit Cost</u>
Sell	Cash-settled Equity Swap	11/16/2007	11/21/2007	1,651,100	\$ 55.00
Buy	Cash-settled Equity Swap	11/16/2007	11/1/2007	4,000,000	\$ 54.96
Buy	Cash-settled Equity Swap	11/20/2007	11/23/2007	1,000,000	\$ 52.47
Sell	Cash-settled Equity Swap	11/21/2007	11/26/2007	5,000,000	\$ 51.11
Sell	Cash-settled Equity Swap	12/17/2007	12/20/2007	1,000,000	\$ 52.05
Sell	Cash-settled Equity Swap	12/20/2007	12/23/2007	4,000,000	\$ 51.9965

* Cash-settled option contract for which the Reporting Persons disclaim any beneficial ownership of securities that may be referenced by the option contract or that may be held from time to time by the counterparty.

PERSHING SQUARE IV C, L.P.**Common Stock**

Transaction Type	Security	Trade Date	Settle Date	Quantity	Unit Cost	Trade Amount
Buy	TARGET CORPORATION	12/4/2007	12/7/2007	250,000	\$ 59.07	\$ 14,766,950
Buy	TARGET CORPORATION	12/4/2007	12/7/2007	250,000	\$ 59.68	\$ 14,920,075
Buy	TARGET CORPORATION	12/6/2007	12/10/2007	509,589	\$ 56.50	\$ 28,791,727

**PERSHING SQUARE, L.P.,
PERSHING SQUARE
INTERNATIONAL, LTD.,
PERSHING SQUARE II, L.P.**

Options

Transaction Type	Security	Trade Date	Settlement Date	Quantity	Strike Price	Expiration Date	Unit Cost	Trade Amount
Buy	American-style Call Option	12/20/2007	12/21/2007	2,000,000*	\$40.08	1/15/2010	\$ 18.49	\$ 36,973,801
Buy	American-style Call Option	12/21/2007	12/27/2007	500,000*	\$42.76	1/15/2010	\$ 17.40	\$ 8,700,000
Buy	American-style Call Option	12/21/2007	12/27/2007	600,000*	42.811	1/15/2010	\$ 17.11	\$ 10,266,000
Buy	American-style Call Option	12/21/2007	12/27/2007	100,000*	\$42.798	1/15/2010	\$ 17.381	\$ 1,738,100
Buy	American-style Call Option	12/21/2007	12/27/2007	50,000*	\$40.432	1/15/2010	\$ 18.8024	\$ 940,120

* Cash-settled option contract for which the Reporting Persons ~~disclaim~~ any beneficial ownership of securities that may be referenced by the option contract or that may be held from time to time by the counterparty.

EXHIBIT C

EX-99.1 2 y65653exv99w1.htm EX-99.1: TRADING DATA

Exhibit 99.1

Common Stock						
Name	Trade Date	Buy/Sell	Quantity	Per Share Cost	Trade Amount	
PERSHING SQUARE INTL	June 17, 2008	BY	419,743	\$52.50	22,035,542	
PERSHING SQUARE INTL	June 18, 2008	BY	549,501	\$51.42	28,257,039	
PERSHING SQUARE INTL	June 20, 2008	BY	56,932	\$50.22	2,858,943	
PERSHING SQUARE LP	June 17, 2008	BY	80,257	\$52.50	4,213,308	
PERSHING SQUARE LP	June 18, 2008	BY	346,603	\$51.43	17,824,420	
PERSHING SQUARE LP	June 20, 2008	BY	43,068	\$50.22	2,162,737	
PERSHING SQUARE II LP	June 18, 2008	BY	3,896	\$51.52	200,726	
Stock Settled Options						
Name	Buy/Sell	Security	Trade Date	Expiration Date	Quantity	Trade Amount
PERSHING SQUARE IV A, LP	BY	Stock - Settled OTC Call Option	July 11, 2008	January 15, 2010	8,700,000	120,234,000
PERSHING SQUARE IV A, LP	SL	Stock - Settled OTC Call Option	July 11, 2008	December 19, 2008	(8,700,000)	(28,240,200)
Cash Settled Options						
PERSHING SQUARE IV A, LP	BY	Cash - Settled OTC Call Option	July 11, 2008	March 19, 2010	4,800,000	69,888,000
Cash Settled Equity Swaps						
PERSHING SQUARE IV A, LP	SL	Cash - Settled Equity Swap	July 11, 2008	February 2, 2011	(5,884,200)	(44,837,604)

Exhibit 99.1

*Pershing Square Capital Management, LP**Stock transactions*

Transaction Type	Security	Trade Date	Settlement Date	Unit Price	Quantity	Trade Amount
Buy	TARGET CORPORATION	01/11/08	01/16/08	\$ 49.95	1,575,000	\$ 78,671,250
Buy	TARGET CORPORATION	01/14/08	01/17/08	\$ 50.49	1,131,100	\$ 57,109,239
Buy	TARGET CORPORATION	01/15/08	01/18/08	\$ 49.87	1,159,000	\$ 57,799,330

Option Transactions

Transaction Type	Security	Trade Date	Settlement Date	Quantity	Strike Price	Expiration Date	Unit Price	Trade Amount
Sell	American-style Call Option	01/11/08	01/15/08	2,500,000	\$ 48.5612	10/17/08	\$ 8.78	\$ 21,952,500
Sell	American-style Call Option	01/14/08	01/16/08	1,781,250	\$ 48.5612	10/17/08	\$ 9.07	\$ 16,155,938
Sell	American-style Call Option	01/15/08	01/17/08	1,869,383	\$ 48.5612	10/17/08	\$ 8.67	\$ 16,215,776

Swap Transactions

Transaction Type	Security	Trade Date	Settle Date	Quantity	Unit Price	Trade Amount
Buy	Cash-settled Equity Swap	01/04/08	01/09/08	1,000,000	\$ 49.33	\$ 49,325,600
Buy	Cash-settled Equity Swap	01/10/08	01/15/08	1,000,000	\$ 51.21	\$ 51,208,200
Buy	Cash-settled Equity Swap	01/11/08	01/16/08	500,000	\$ 49.98	\$ 24,990,650

EXHIBIT D

EX-99.1 2 y01074exv99w1.htm EX-99.1: TRADING DATA

Exhibit 99.1

Common Stock

Name	Buy/Sell	Security	Trade Date	Quantity	Trade Amount	Per Share Cost
PERSHING SQUARE II, L.P.	BY	Common Stock	February 3, 2009	6,798	\$ 218,284	\$32.11
PERSHING SQUARE II, L.P.	BY	Common Stock	February 4, 2009	11,979	\$ 375,661	\$31.36
PERSHING SQUARE IVA, L.P.	BY	Common Stock	December 11, 2008	1,325,000	\$49,753,750	\$37.55
PERSHING SQUARE IVA, L.P.	SL	Common Stock	December 12, 2008	2,024,245	\$72,840,841	\$35.98
PERSHING SQUARE IVA, L.P.	SL	Common Stock	December 15, 2008	1,002,400	\$34,652,657	\$34.57
PERSHING SQUARE IVA, L.P.	BY	Common Stock	December 18, 2008	654,300	\$23,672,378	\$36.18
PERSHING SQUARE IVA, L.P.	BY	Common Stock	December 19, 2008	200,000	\$ 6,883,100	\$34.42
PERSHING SQUARE IVA, L.P.	BY	Common Stock	December 22, 2008	500,000	\$16,455,900	\$32.91
PERSHING SQUARE IVA, L.P.	SL	Common Stock	February 3, 2009	2,601,875	\$83,330,981	\$32.03
PERSHING SQUARE, L.P.	SL	Common Stock	December 23, 2008	500,000	\$16,186,310	\$32.37
PERSHING SQUARE, L.P.	SL	Common Stock	December 24, 2008	500,000	\$16,336,059	\$32.67
PERSHING SQUARE, L.P.	SL	Common Stock	December 26, 2008	500,000	\$16,198,259	\$32.40
PERSHING SQUARE, L.P.	BY	Common Stock	February 3, 2009	213,202	\$ 6,845,916	\$32.11
PERSHING SQUARE, L.P.	BY	Common Stock	February 4, 2009	488,021	\$15,304,339	\$31.36

Stock Settled Options

Name	Buy/Sell	Security	Trade Date	Quantity	Trade Amount	Expiration Date	Strike Price
Pershing Square IVA, L.P.	SL	Stock - Settled OTC Call Option	December 11, 2008	4,681,359	\$11,309,227	April 6, 2009	\$53.08
Pershing Square IVA, L.P.	SL	Stock - Settled OTC Call Option	February 3, 2009	7,247,394	\$14,267,945	January 15, 2010	\$51.03
Pershing Square IVA, L.P.	SL	Stock - Settled OTC Call Option	February 3, 2009	8,700,000	\$35,670,000	January 15, 2010	\$40.00
Pershing Square IV-I Trade-Co, L.P.	BY	Stock - Settled OTC Call Option	February 3, 2009	785,103	\$ 7,497,812	January 14, 2011	\$35.00
Pershing Square IV-I Trade-Co, L.P.	SS	Stock - Settled OTC Call Option	February 3, 2009	785,103	\$ 1,645,654	January 14, 2011	\$65.00
Pershing Square IV-I Trade-Co, L.P.	BY	Stock - Settled OTC Call Option	February 4, 2009	879,315	\$ 8,721,549	January 31, 2011	\$35.00
Pershing Square IV-I Trade-Co, L.P.	SS	Stock - Settled OTC Call Option	February 4, 2009	879,315	\$ 2,161,545	January 31, 2011	\$65.00
Pershing Square IV Trade-Co, L.P.	BY	Stock - Settled OTC Call Option	February 3, 2009	6,512,152	\$62,191,703	January 14, 2011	\$35.00
Pershing Square IV Trade-Co, L.P.	SS	Stock - Settled OTC Call Option	February 3, 2009	6,512,152	\$13,650,122	January 14, 2011	\$65.00
Pershing Square IV Trade-Co, L.P.	BY	Stock - Settled OTC Call Option	February 4, 2009	7,293,610	\$72,342,192	January 31, 2011	\$35.00
Pershing Square IV Trade-Co, L.P.	SS	Stock - Settled OTC Call Option	February 4, 2009	7,293,610	\$17,929,256	January 31, 2011	\$65.00
Pershing Square International IV-I Trade-Co, Ltd.	BY	Stock - Settled OTC Call Option	February 3, 2009	1,164,024	\$11,116,546	January 14, 2011	\$35.00
Pershing Square International IV-I Trade-Co, Ltd.	SS	Stock - Settled OTC Call Option	February 3, 2009	1,164,024	\$ 2,439,911	January 14, 2011	\$65.00
Pershing Square International IV-I Trade-Co, Ltd.	BY	Stock - Settled OTC Call Option	February 4, 2009	1,303,707	\$12,930,911	January 31, 2011	\$35.00
Pershing Square International IV-I Trade-Co, Ltd.	SS	Stock - Settled OTC Call Option	February 4, 2009	1,303,707	\$ 3,204,791	January 31, 2011	\$65.00
Pershing Square International IV, Trade-Co, Ltd.	BY	Stock - Settled OTC Call Option	February 3, 2009	4,038,721	\$38,570,189	January 14, 2011	\$35.00
Pershing Square International IV, Trade-Co, Ltd.	SS	Stock - Settled OTC Call Option	February 3, 2009	4,038,721	\$ 8,465,563	January 14, 2011	\$65.00
Pershing Square International IV, Trade-Co, Ltd.	BY	Stock - Settled OTC Call Option	February 4, 2009	4,523,368	\$44,865,349	January 31, 2011	\$35.00
Pershing Square International IV, Trade-Co, Ltd.	SS	Stock - Settled OTC Call Option	February 4, 2009	4,523,368	\$11,119,408	January 31, 2011	\$65.00

Cash Settled Options

<u>Name</u>	<u>Buy/Sell</u>	<u>Security</u>	<u>Trade Date</u>	<u>Quantity</u>	<u>Trade Amount</u>	<u>Expiration Date</u>	<u>Strike Price</u>
Pershing Square IVA, L.P.	SL	Cash - Settled OTC Call Option	February 3, 2009	3,500,000	\$ 7,875,000	November 20, 2009	\$44.95
Pershing Square IVA, L.P.	SL	Cash - Settled OTC Call Option	February 3, 2009	5,358,266	\$13,606,245	November 20, 2009	\$44.95
Pershing Square IVA, L.P.	SL	Cash - Settled OTC Call Option	February 3, 2009	6,458,201	\$25,372,334	January 15, 2010	\$41.57
Pershing Square IVA, L.P.	SL	Cash - Settled OTC Call Option	February 4, 2009	3,356,995	\$ 7,056,403	November 20, 2009	\$44.95

EXHIBIT E

Item 5(c) of the Schedule 13D is hereby amended and restated as follows:

(c) On February 10, 2009, cash-settled American-style call options covering 4,800,000 shares of Common Stock expiring on March 19, 2010 were sold for \$20,630,400 in the aggregate. All of the options sold were previously held for the account of Pershing Square IV A, L.P., and the sales were effected through over-the-counter market transactions.

On February 26, 2009, stock-settled American-style call options covering 14,500,000 shares of Common Stock expiring on April 2, 2009 were sold for \$145,000 in the aggregate. All of the options sold were previously held for the account of Pershing Square IV A, L.P., and the sales were effected through over-the-counter market transactions.

Except as disclosed herein, since February 4, 2009 (the date of the most recent amendment to this Schedule 13D), no other transaction in shares of Common Stock or derivative securities were effected by any Reporting Person.

EXHIBIT F

EX-99.2 3 y01328exv99w2.htm EX-99.2: TRADING DATA

Exhibit 99.2

Trading Data

Common Stock

Name	Buy/Sell	Security	Trade Date	Quantity	Trade Amount	Per Share Cost
Pershing Square IV-I Trade-Co, L.P.	Buy	Common Stock	3/5/2009	100	\$ 2,648	\$ 26.48

Name	Buy/Sell	Security	Trade Date	Quantity	Trade Amount	Per Share Cost
Pershing Square IV Trade-Co, L.P.	Buy	Common Stock	3/5/2009	100	\$ 2,648	\$ 26.48

Name	Buy/Sell	Security	Trade Date	Quantity	Trade Amount	Per Share Cost
Pershing Square International IV-I Trade-Co, Ltd.	Buy	Common Stock	3/5/2009	100	\$ 2,648	\$ 26.48

Name	Buy/Sell	Security	Trade Date	Quantity	Trade Amount	Per Share Cost
Pershing Square International IV, Trade-Co, Ltd.	Buy	Common Stock	3/5/2009	100	\$ 2,648	\$ 26.48

Stock-Settled Options

Name	Buy/Sell	Security	Trade Date	Quantity	Trade Amount	Expiration Date	Strike Price
Pershing Square IV-I Trade-Co, L.P.	Buy	Stock - Settled OTC Call Option	3/1/2009	1,406,282	\$ 8,120,312	January 31, 2011	\$ 35.00
Pershing Square IV-I Trade-Co, L.P.	Sell	Stock - Settled OTC Call Option	3/1/2009	1,406,282	\$ 891,771	January 31, 2011	\$ 65.00
Pershing Square IV-I Trade-Co, L.P.	Buy	Stock - Settled OTC Call Option	3/1/2009	1,575,036	\$ 8,919,476	January 14, 2011	\$ 35.00
Pershing Square IV-I Trade-Co, L.P.	Sell	Stock - Settled OTC Call Option	3/1/2009	1,575,036	\$ 1,016,323	January 14, 2011	\$ 65.00

Name	Buy/Sell	Security	Trade Date	Quantity	Trade Amount	Expiration Date	Strike Price
Pershing Square IV Trade-Co, L.P.	Sell	Stock - Settled OTC Call Option	3/1/2009	1,406,282	\$ 8,120,312	January 31, 2011	\$ 35.00
Pershing Square IV Trade-Co, L.P.	Cover	Stock - Settled OTC Call Option	3/1/2009	1,406,282	\$ 891,771	January 31, 2011	\$ 65.00
Pershing Square IV Trade-Co, L.P.	Sell	Stock - Settled OTC Call Option	3/1/2009	2,167,527	\$ 12,515,978	January 31, 2011	\$ 35.00
Pershing Square IV Trade-Co, L.P.	Cover	Stock - Settled OTC Call Option	3/1/2009	2,167,527	\$ 1,374,502	January 31, 2011	\$ 65.00
Pershing Square IV Trade-Co, L.P.	Sell	Stock - Settled OTC Call Option	3/1/2009	1,575,036	\$ 8,919,476	January 14, 2011	\$ 35.00
Pershing Square IV Trade-Co, L.P.	Cover	Stock - Settled OTC Call Option	3/1/2009	1,575,036	\$ 1,016,323	January 14, 2011	\$ 65.00
Pershing Square IV Trade-Co, L.P.	Sell	Stock - Settled OTC Call Option	3/1/2009	2,427,629	\$ 13,747,663	January 14, 2011	\$ 35.00
Pershing Square IV Trade-Co, L.P.	Cover	Stock - Settled OTC Call Option	3/1/2009	2,427,629	\$ 1,566,475	January 14, 2011	\$ 65.00

Name	Buy/Sell	Security	Trade Date	Quantity	Trade Amount	Expiration Date	Strike Price
Pershing Square International IV-I Trade-Co, Ltd.	Buy	Stock - Settled OTC Call Option	3/1/2009	2,167,527	\$ 12,515,978	January 31, 2011	\$ 35.00
Pershing Square International IV-I Trade-Co, Ltd.	Sell	Stock - Settled OTC Call Option	3/1/2009	2,167,527	\$ 1,374,502	January 31, 2011	\$ 65.00

